

Inmate Assault Data

02/11/2013

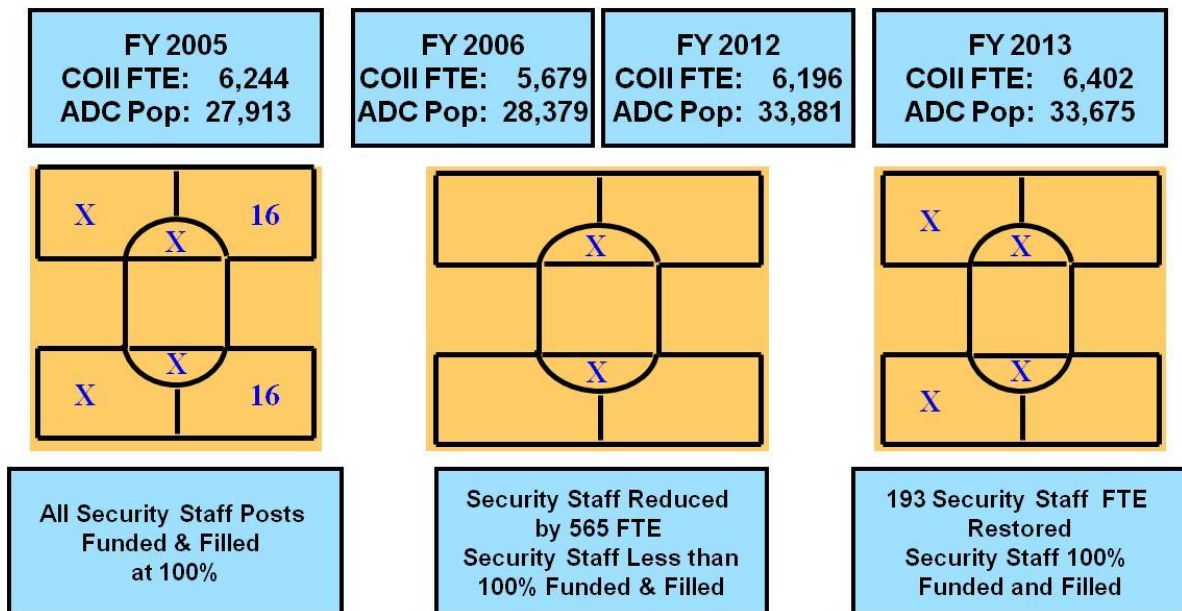
This is an issue of significant concern to the Arizona Department of Corrections (ADC). While ADC's mission is focused on serving and protecting the public, we are also dedicated to ensuring safety and security within prison walls – and keeping staff and inmates safe.

ADC has taken a number of proactive steps in this regard. In 2009, the agency evaluated two separate, but related issues: the shortage of officers at the prisons and assaults against our staff.

In FY 2006, the previous director abolished 565 Correctional Officer (CO) positions. Since January 2009, ADC has relentlessly pursued the restoration of 306 abolished positions and the funding for additional CO positions necessary to ensure proper levels of safety and security throughout the agency. Governor Brewer has championed our efforts to emphasize the importance of public safety. The critical part of this necessitates that we have "boots on the ground." Last year, the legislature authorized 103 of these CO positions.

The following diagram represents the staffing pattern prior to 2006, the pattern after the elimination of 565 CO positions, and the model that the Department is working towards.

ADC STAFFING PATTERN



X - Post is filled 24 hours/7 days a week
16 - Post is filled 16 hours/7 days a week

The Legislature has demonstrated its understanding that there are no substitutes for the eyes, ears and numbers of Correctional Officers on posts. The preceding staffing charts reflect what has transpired and how we are managing today.

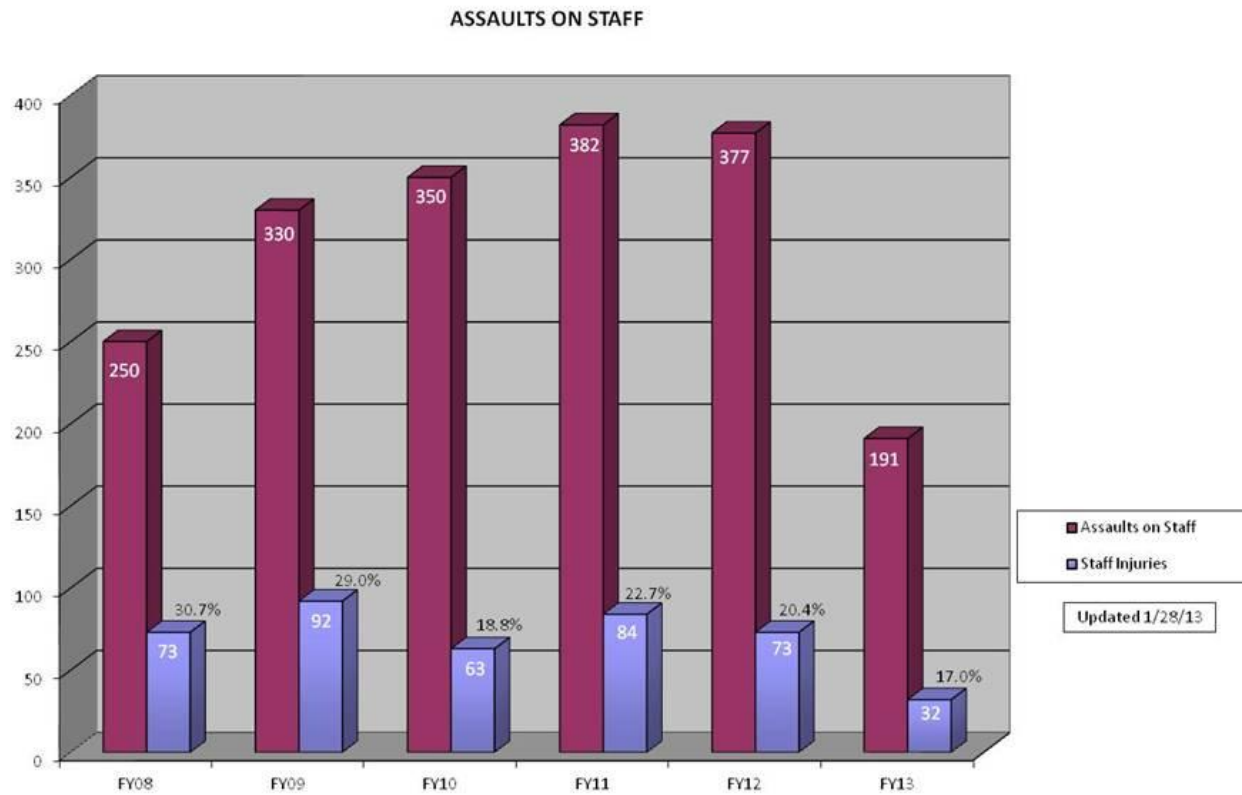
During FY 2012 and FY 2013, we have solved some of our problem as a result of the closure of the ASPC-Douglas, Maricopa Unit and transferring 46 positions to ASPC-Yuma, Cibola Unit to strengthen that medium security unit staffing. The closure of SACRC and its conversion to a Community Corrections Center has resulted in 22 CO positions being redeployed to ASPC-Tucson. The recent closure of the ASPC-Florence, Picacho Unit has redistributed 57 CO positions to ASPC-Florence and ASPC-Eyman.

One measure of success that we anticipate from these staffing efforts is a reduction in the number of assaults on staff within the prisons. First, however, we needed to ensure that our method of reporting was truly capturing the number of assaults occurring. In 2006, the previous director modified the definition and data collection related to staff assaults to include only officer assaults that resulted in employee injury. This significantly decreased the number of assaults reported: If the staff member wasn't injured, the assault didn't count and was not recorded. To rectify this underreporting, ADC corrected the definition to include any inmate assault on staff, regardless of whether injury was sustained. The information below demonstrates the impact of these changes in definition on reporting of assault figures:

INMATE ASSAULTS ON STAFF

	FY02	FY03	FY04	FY05	FY06	FY07	FY08	FY09	FY10	FY11	FY12	FY13
ADC Staff	159	129	130	149	203	178	231	307	329	362	343	182
CB	0	0	2	11	10	3	19	23	21	20	34	9
Totals	159	129	132	160	213	181	250	330	350	382	377	191

CB – Contract Beds represent the lowest custody level minimum and one medium security unit.



Includes ADC and Contract Beds

In addition to returning to the original definition of assault in order to fully represent the extent of inmate violence against our staff, ADC took active steps to ensure that there were consequences for inmate assaults on staff through legal and administrative avenues:

Criminal Prosecution: A concerted effort has been made in the criminal investigation and prosecution of inmates who have criminally assaulted our staff. Once the case is submitted, the prosecutorial decision is solely that of the County Attorney's. The publication of Director's Instruction #279, *Submission of Criminal Cases for Prosecution* [DI 279](#) (attached), provides guidance to investigative staff in the ADC Inspector General's Office concerning when to pursue criminal charges. Furthermore, the following criteria are evaluated by the Criminal Investigations Unit (CIU) Supervisor, CIU Manager, and the Inspector General for determination on submission of staff assault occurrences to jurisdictional prosecutors when requesting felony aggravated assault charges:

- Complete identification of suspect(s) and victim(s)
- Evidentiary findings to support criminal prosecution for assault
- Nature of the assault
- Details that support aggravated charges beyond technical statutory language
- Current sentence, classification, and release dates of suspect inmate(s)
- Potential for consecutive sentence enhancement upon conviction
- Victim willingness to cooperate with prosecution efforts

- Victim injury or potential for injury
- Impact of prosecution on inmate population and/or staff
- History of jurisdictional prosecutors' willingness to accept similar cases.

To date, nearly 63% of the cases submitted have resulted in a felony conviction and 15% have resulted in an indictment, pending disposition. Thus, 78% of the cases submitted have resulted in either a conviction or an indictment. Of the convictions to date, 98 (71%) have resulted in a consecutive sentence to be served. A.R.S. 31-227, *Reimbursing county for expense of prosecution*, requires that ADC pay for these inmate prosecutions. This is an operational cost that ADC shall continue to willingly incur for the criminal prosecution of inmates who assault our employees, particularly those assaults resulting in injury to a staff member. The following table displays submission and dispositions to date.

INMATE ON STAFF ASSAULT CASE SUBMISSION AND DISPOSITION

	FY09		FY10		FY11		FY12		FY13		TOTAL	Total Percent
Submitted for Prosecution	47		52		40		61		21		221	
Convictions	38	80.9%	35	67.3%	31	77.5%	34	55.7%	1	4.8%	139	62.9%
Indicted - Pending Disposition	0	0.0%	2	3.8%	4	10.0%	21	34.4%	6	28.6%	33	14.9%
Declined/Dismissed	8	17.0%	15	28.8%	4	10.0%	4	6.6%	0	0.0%	31	14.0%
Pending CA Decision	1	2.1%	0	0.0%	1	2.5%	2	3.3%	14	66.7%	18	8.1%
												100.0%

Includes ADC and Contract Beds

Administrative Action: Independent of prosecution or injury, inmates are subject to disciplinary action for assaults on staff. The inmate disciplinary system includes three categories of charges applicable to inmate assault on staff, each of which is supported by one or more Arizona Revised Statutes (A.R.S.): aggravated assault, A.R.S. 13-1204 and 13-1206; assault, A.R.S. 13-1202; and assault on staff with bodily fluids, A.R.S. 13-1212. Sanctions may include detention, time loss, restitution, loss of privileges, and/or extra duty. In addition to disciplinary action, administrative remedies may also include reclassification and/or housing reassignment. Analysis of disciplinary and classification data indicates that, excluding those inmates who were already classified at the highest level, the majority of inmates found guilty of assault on staff were reclassified to a higher custody level.

The following table compares the disciplinary sanctions imposed on inmates to the number of inmate assaults on staff. With the exception of FY 2009, the figures indicate that in some cases the inmates may have been found guilty of more than one disciplinary violation as result of the staff assault. In addition, if more than one inmate was involved in the assault, then each would have received disciplinary action.

INMATE DISCIPLINARY ACTIONS RESULTING FROM STAFF ASSAULT

FY	Disc.	Assaults	Disc. Per Assault
2009	270	330	.82
2010	513	350	1.47
2011	536	382	1.40
2012	478	377	1.27
2013	231	191	1.21
Total	2,028	1,630	1.24

Includes ADC and Contract Beds

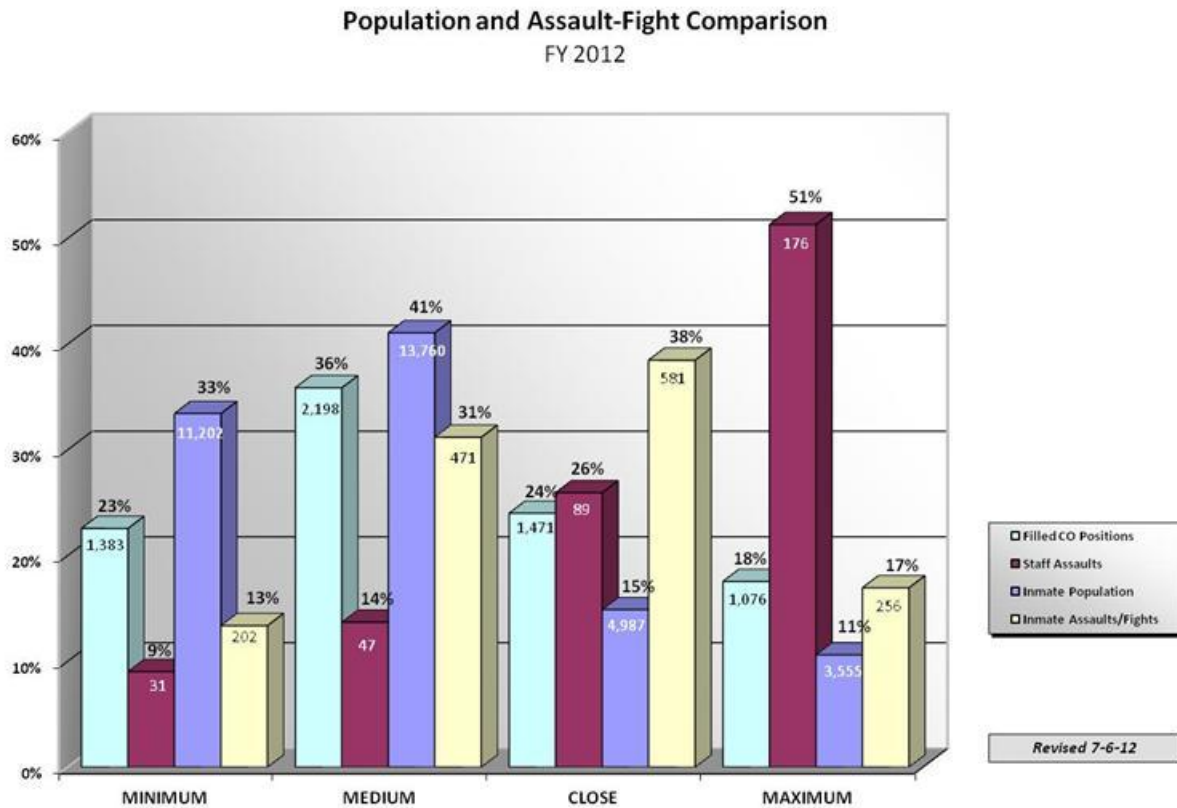
It is important to note that the violent and assaultive nature of our inmate population is manifested not only in assaults against staff, but also in inmate on inmate assaults and incidents of self-harm. Knowing that violence must be addressed systemically, ADC is focused on reducing all types of violence within the prison system. The table below displays the inmate on inmate violence since FY 2005:

INMATE ON INMATE ASSAULTS

	FY05	FY06	FY07	FY08	FY09	FY10	FY11	FY12	FY13
ADC	381	547	626	651	778	1,335	1,478	1,510	846
CB	44	39	49	43	64	79	75	159	60
Totals	425	586	675	694	842	1,414	1,553	1,669	906

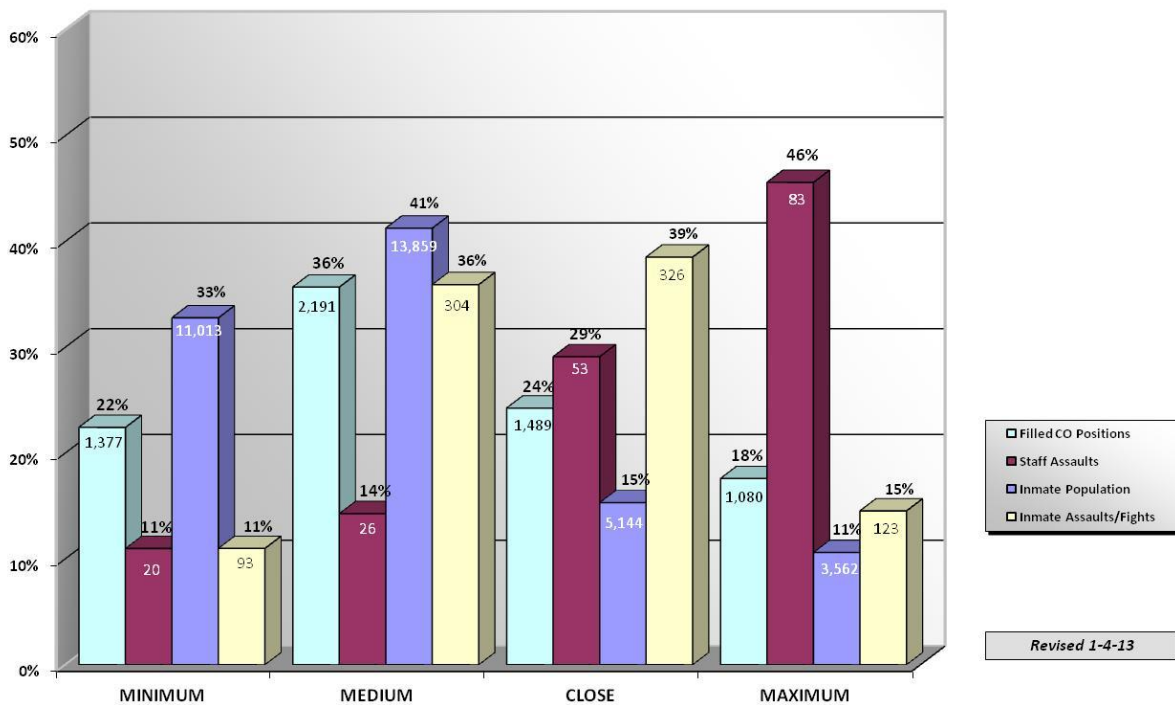
CB – Contract Beds

The next two charts display staff and inmate assaults by custody level compared to CO staffing for FY 2012 and to date for FY 2013. As would be expected, the occurrence of violence within the prison system increases with the level of custody. CO staffing, particularly in close and maximum custodies, is fundamental to maintaining institutional safety and security.



Excludes Contract Beds

Population and Assault-Fight Comparison FY 2013



Excludes Contract Beds

Not only is the vigilance of COs crucial in the prevention and response to inmate violence, it is particularly essential when combating inmate self-harm. ADC began formally tracking incidents of inmate self-harm in FY 2011.

INMATE SELF-HARM BY YEAR AND TYPE

FY	CUTTING	OVERDOSE	BLUNT FORCE	HANGING	FIRES	TOTALS
2011	217	90	68	60	14	449
2012	209	164	69	48	12	502
2013	78	106	38	14	3	239
Totals:	504	360	175	122	29	1,190

Notes:

Cutting: Scratches, lacerations, biting

Overdose: medication, drugs, ingested objects

Blunt Force: banging head, object insertion, striking self

FY 2013 figures are current to December 31, 2012

Includes ADC and Contract Beds

In addition to increasing CO presence through the reinstatement of lost positions, ADC has undertaken a number of proactive, agency-wide mental health initiatives focused on reducing suicides and incidents of self-harm. Over 9,000 employees were trained on crisis intervention and suicide prevention, including identification of:

- Inmates who may be at risk for suicide
- High risk times, locations and methods
- Incidents and situations that may trigger a suicide attempt
- Possible signs of suicidal intent.

Along with this focused training, continuous movement by COs is required to ensure heightened awareness of the inmate population.

Other initiatives focused on providing a higher level of clinical mental health services in maximum custody and protective segregation:

- Mental Health housing “treatment cluster areas,” allowing closer monitoring and increase in service delivery for maximum custody inmates in ASPC-Eyman, Special Management Unit and ASPC-Florence, Central Unit
- 35-bed maximum custody treatment ward at Alhambra-Flamenco, a state licensed mental health treatment facility at the Phoenix Complex, with emphasis on individual and group treatment, including anger management, behavioral controls, and substance abuse treatment
- 30-bed protective segregation treatment ward at the Alhambra-Flamenco with a focus on individual and group treatment.

Finally, ADC made innovative physical and environmental changes to support robust mental health treatment:

- Cell door modification for increased visibility
- Office and building enclosures in treatment cluster areas
- Enhanced recreation enclosures to facilitate more group contact, activities, and phased recreation in support of behavioral stability.

The following table provides aggregate inmate death figures, inclusive of homicides and suicides:

INMATE DEATHS BY CAUSE

TYPE	FY05	FY06	FY07	FY08	FY09	FY10	FY11	FY12	FY13*	TOTAL
Natural Causes	57	73	53	87	79	67	64	71	38	589
Suicide	4	8	6	5	6	10	13	6	2	60
Accidental	3	4	0	7	4	4	5	7	3	37
Homicide	1	3	3	1	4	5	4	3	0	24
TOTAL	65	88	62	100	93	86	86	87	43	710
ADP	31,906	33,108	35,798	37,911	39,628	40,458	40,226	40,011	Pending	

* FY13 as of 12-31-12 @ 0600

ADP – Average Daily Population

Includes ADC and Contract Beds

The cumulative results of these efforts are beginning to show dividends. Nothing in the prison system occurs in a vacuum, which is why gaining an agency view is essential for placing the data in perspective. Each decision made and action taken by ADC supports accomplishment of our mission: To serve and protect the people of Arizona by securely incarcerating convicted felons, by providing structured programming designed to support inmate accountability and successful community reintegration, and by providing effective supervision for those offenders conditionally released from prison.